App. F. IX-4

1933. (Law) (31)

File No. 8-33

Serial Nos. 1-6

Previous References
Law 106-32-3-6

Later References
Law Dy 50-33
" 32-33-1-4
" 6-35-1-4
encs 27-37-1

GENERAL AND REVENUE SECRETARIAT

PRESERVED

Serial Nos. Six

Part B for August-1933

SUBJECT.

Conduct of P. N. Basavaraj Clerk of the Office of the Public Prosecutor, Shimoga.

6) 20 Dr. PPr. Shimoga.

No. P 705 dy 23-8-33

Informs that the Clerk's suspension from 8th June 33 upto date may be treated as sufficient punishment & he may be allowed to rejoin duty on condition that if he does not show improvement in his work he should be removed from service.

Dr. Abdul Aziz
5-9-33

Serial No.

From,

The PSr. Shimoga

no. 15 dated 6th April 1933 reporting the conduct of his clerk P.N. Basavaraj and stating, inter alia, the circumstances which led him to keep him under suspension from 5.6.33.

1) The clerk is said to be inefficient, indifferent and irregular in his attendance. He has applied for extension of leave from 22nd ultimo; and the PSr. states that no leave was granted to him before and that he had left the station without permission. Last time when such absence without permission was pointed out by the PSr; the clerk was warned for not having submitted his appn for grant of leave in time.

2) Since in view of the present report there seems to be no harmony between the PSr and his clerk, the PSr. may perhaps be asked to get his clerk transferred in consultation with the DC. Shimoga.

ISD 14/7

3) The D.C. Shimoga may be asked in the first instance if he can take the PSr's clerk and send some one else as a substitute.

Genl Secy) MP 14/7

4) [illegible] 15/7

5) Aft MP 16

2

28
181

File No. of 193 . | General and Revenue Secretariat

6) Dft. for sgd. for appd.
ASD
15/7

1) Issue as revised
DSP
15/7

To.

The D. C. Shimoga.

No. P. 301 d. 18.7.33 enquiring whether he can take the PPs's clerk and send some one else as his substitute.

From,

P. N. Basavaraj, clerk. PPs office
Letter dated 15.7.33 requesting in the circumstances stated that he may be transferred to any Civil or Criminal Courts in Maidan district. and praying for Cancellation of suspension period of one month.

8) Reference para 1-3 supra.

The PPr in the last para of his letter dated 6.7.33 states that he has kept the clerk under suspension from 8.6.33. D.C.'s reply is being awaited.

Subt for orders.

ASD
15/7

9) A copy of the petition may be sent to the PPr and a report as to the allegations made therein called for.

The clerk says he has since rejoined duty as he is told that

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No.

He is under suspension & no period is fixed — If appt, the PPr will be requested to allow the clerk to rejoin duty, pending disposal of the question as how the period of absence is to be treated.

(Gen Secy) DMP 26/7/33.

GENERAL SECRETARIAT 27 JULY 1933 No.

10) Butt's there not a separate communication from the Public Prosecutor himself so far in the matter of this Clerk's conduct in the discharge of his duties. Please verify & put up with the papers regarding it.

DMP 27/7

11) PPr's letter dated 6.7.33 is flagged.

LSD 28/7

(Gen Secy) DMP 28/7

GENERAL SECRETARIAT 29 JUL 1933 No.

12) The Public Prosecutor's letter may be sent to the D.S. for information with a request that the clerk may be transferred to some other Sub-Div. Cutt under D.S., and a suitable memorandum

NOTE—Contn. Sheet.

4

282

File No. | of 193 | General and Revenue Secretariat

an clerk to the Public Prosecutor.

29/7

Hr. member

29/7

OFFICE OF THE FIRST MEMBER - UNCIL
29 JULY 1933
No. 932

D.) I don't think that the facts of the clerk received direct, nor have we his explanation. If the clerk has been neglecting his duties the case is proper remedy not for transfer. P. Pros^r say that he will send up the clerk's explan. let him do so, & all the charges against him & send up the explan with his own remarks thereon

31/7

31/7

31/7

14) Sub^d with a d/f and an endorsement to clerk returning his explan^n

150 31/7

1/8

TYPING SECTION
2 AUG. 1933
GEN & REV SECTT.

80/28.

5

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No.

To,

The PPr. Shimoga

No. P. 596 d. 4.8.33 Calling for the explanation of his clerk P.V. Basavaraj

P. V. Basavaraj

Encl: No. P. 597 returning his petition d. 15.7.33

Sec A 7/8/33

From,

The PPr. Shimoga

No. 1169 dated 13.8.33 forwarding the explanation of his clerk, Basavaraj and stating in the circumstances, pointed out that he deserves exemplary punishment and requesting to provide him with an efficient clerk.

Basavaraj says that he had applied for leave on 5th or 6th June 1933, and left the station in anticipation of permission. The PPr. maintains that his assertions are false, the clerk has been kept on suspension from 6th June 1933. He however in his explanation requests that he may be excused this time and prays for mercy.

Sub? for orders with ref^ce to para 13 Supra

ISD 16/8.

The clerk in his explanation dated 21st July addressed to the PPr, admits having left the Headquarters on 5.6.33 without permission. It is also admitted

NOTE—Contn. Sheet.

6

File No. of 193 . General and Revenue Secretariat

that he had put in no written application for leave.

In view of the fact that this clerk had on a previous occasion been warned for unauthorised overstaying, the conduct now reported appears to be inexcusable. From 8th June, the clerk has been placed under suspension. The PPr states that the clerk has now shown a repentant attitude, but that his conduct has been such as to deserve exemplary punishment.

Perhaps, having regard to the fact that the clerk seems to have been recommended by the Dist medical officer for a month's leave, which appears to have emboldened him to absent himself from duty without permission, his Suspension from 8th June up to date may be treated as sufficient punishment and he may be allowed to rejoin duty, on condition that if he does not show improvement in his work, he would be removed from service.

The request of the PPr for an efficient hand from the Dt's Office being transfered to him, may for the present lie over. The Dt. Surgeon was asked if he could take up

Serial No.

the PPr's clerk and give him another from his office – But no reply has till now been received :

Submitted for orders.

Gen Secy

19/8/33

I agree

I Member

16/8

17/8

17/8/33

18/8

Dft put up for appts

18/8.

Issue

18/8

To,

The PPr. Shimoga

No. P. 901 dated 11.8.33 informing that the clerk's suspension from 8th June upto date may be treated as sufficient punishment and he may be allowed to rejoin duty on condition that if he does not show improvement in his work he would be removed from service.

B

25/8/33

GENERAL SECRETARIAT
16 AUG 1933
No.
OFFICE OF THE EXECUTIVE COUNCIL
File No. 17 AUG. 1933
No. 14.0.9.

TYPING SECTION
12. AUG. 1933
GENL. & REV SECTT.

NOTE—Contn. Sheet.

WD 70—GBPM—60,000—13-8-31

Conf (5-2-(5-6)

EB/733

OFFICE OF THE PUBLIC PROSECUTOR!
SHIMOGA DIVISION.

No. 15
Encl.

DATED, SHIMOGA THE 6th July 1933.

Law 8-33-1

From

B. KRISHNA RAO, ESQR., B.A., B.L.,
PUBLIC PROSECUTOR,
SHIMOGA DIVISION.

Fg
Protn
11 JULY 1933

To

The General and Revenue Secretary to
The Government of Mysore,
Bangalore.

Sir,

I am under the painful necessity of submitting this report to the Government about the Conduct of the clerk of this Office P. N. Basavaraj, who was appointed by my predecessor from the list of Candidates furnished by the Recruitment Board.

He is said to have passed the S. S. L. C. examination, but, his intelligence does not Come up to the average standard even. He has neither the aptitude to Conduct the work of this Office nor does he evince any interest & enthusiasm to learn work. He is indifferent to his work and is very irregular in his attendance. My earnest attempts to Convert him to be a useful clerk during the past 2 years have proved

futile and his selection at the instance of the Recruitment Board has made him defiant towards my instructions.

The work of this Office is of some Complexity involving the exercise of some intelligence and technical Knowledge. Registers of Civil Suits, Execution Cases, Sessions Cases, and Criminal. Miscellaneous Cases of this division are to be periodically written up and Quarterly statements submitted to the Govt. Besides, the Deputy Commissioners of the division also require this Office to supply them with quarterly statistical returns regarding the Cases appertaining to their districts inorder to enable them to send up their statements to the Govt. And in Suits relating to Murrai institutions, the Murrai Commissioner has prescribed certain forms in which, statements relating to those Cases have to be sent up to him and the Deputy Commissioners require this Office to send them quarterly statements in those Prescribed forms. These are all matters which are purely clerical in nature and should be attended to by the clerk of this Office. But I regret to say that the clerk has not been uptodate in these matters and has allowed the work to get into arrears.

The Execution work of the Shimoga

Continuation page 2.

OFFICE OF THE PUBLIC PROSECUTOR.
SHIMOGA DIVISION.

No. 15.
Encl.

DATED, SHIMOGA THE 6.7.33. 193 .

From

B. KRISHNA RAO, ESQR., B.A., B.L.,
PUBLIC PROSECUTOR,
SHIMOGA DIVISION.

District relating to the realisations of the institution fees due to the Govt in pauper Suits is fairly heavy and there will be periodical requisitions to this Office from the Deputy Commissioner of Shimoga district to file fresh Execution petitions to recover the balance due to Govt. Now there are not less than a dozen cases in which execution has not been taken for over 6 months although I have prepared the drafts of the execution petitions. The clerk has only to make fair copies of them, send them to the Deputy Commissioner for signature and file them in Court in due course. Even this last ministerial act he has failed to do even though instructed by me, and has delayed the matters to such an extent that there is a chance of some of these Cases getting timebarred.

I cannot attend to all this work as the Sessions work of this division is very heavy ever since I took charge

4 and the Court-work both Civil & Criminal in respect of Govt Cases leaves me no respite to attend to this clerical work. I find it hard to manage with this clerk who is unwilling to Cooperate with me and help me in the ~~Official work~~ office work.

There is one other difficulty which I can not but bring to the notice of the Govt. When I am engaged in Sessions work at head quarters and at the Moffusil Stations of Chickmagalur & Chitaldrog, the clerk ought to represent in the Courts and get appearances for me in Govt Cases. But this clerk has not chosen to attend to this ~~work at all~~ and as a matter of fact I have been getting this work done through other agencies by paying from my pocket.

I have refrained from bringing these facts to the notice of the Govt all this while under the belief that he would improve and be diligent. But as he has failed in my expectations it has become necessary for me to report in this matter.

I have already brought to Your notice in my letter No 287 dated 10.4.'33 that he overstayed

Continuation page 3. 5

OFFICE OF THE PUBLIC PROSECUTOR.
SHIMOGA DIVISION.

No. 15
Encl.

DATED, SHIMOGA THE 6.7.33 193 .

From

B. KRISHNA RAO, ESQR., B.A., B.L.,
PUBLIC PROSECUTOR,
SHIMOGA DIVISION.

his leave without permission and the Govt were pleased to treat his overstay as privilege leave and have given him a warning in their letter No P. 5922, Law 106-32-6 dated 12-5-1933. Inspite of this, he has again stayed away from the office from 8th June. without applying for leave and without obtaining any permission for absence and has not returned to work at all. But I have received a letter (herewith enclosed) despatched from Mokalmuru asking for extension of leave suggesting thereby that leave had been granted to him which is a deliberate falsehood. So that, as he has left this station without permission and has made a false assertion in his letter I have Considered it expedient to take

6 disciplinary action against him and
I have kept him under suspension
from 8.6.1933. I will obtain his
explanation when he comes back
and will submit it to the Govt
for further action.

I have the honour to be
Sir,
your most obedient servant

B. Krishna Rao
public prosecutor.
Shimoga.

To,

The public prosecutor
Shimoga Division
Shimoga.

Sir,

I beg to State that
- I have not yet been cured
from the itches and as my
leave expires on the 22nd inst.
I request you to kindly extend
the leave by 15 days and
oblige.

I beg to remain,
Sir,
your most obedient Servant

Malakalmuru
D: 21/6/33

P.N. Basavaraj

20/2-7-1933

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat 8

No. D 301 Dated, Bangalore, 17th July 1933.
Lew 8-33-3 18

From The General Secretary to the Government of His Highness the Maharaja of Mysore.

To

The Deputy Commissioner,

Shimoga District.

Sir,

I am directed to state that it appears to be desirable to transfer the clerk P.N. Basavaraj working now in the office of the Public Prosecutor, Shimoga and I am to enquire whether you can take him and send some one else to the Public Prosecutor as his substitute.

I have the honour to be,
Sir,
Your most obedient servant,

pp
General Secretary to Government.
15D

TD2

9

Appendix F G—1]

SUBJECT.....

.....

.....

Section Law

File No. 8 - 33.

Serial No. 3

Diary No. of letter replied to .....

No. P - 301/

To The D.C. Shimoga

Sir,

General and Revenue Secretariat

( )

the 193 .

Date of issue 8/7/33

Signed by

In forwarding herewith a Copy of the Shimoga Public Prosecutors letter no. 15 dated 6th July 1933 reporting the Conduct of his ~~clerk P.N. Basavaraj~~ I am ~~State that it appears to~~ directed to ~~enquire whether~~ ~~state what you desire~~ the clerk P.N. Basavaraj working under ~~that the clerk should be transferred~~ in the office of the P.P. Shimoga ~~somewhere, and somebody appointed~~ ~~in his place~~.

~~I am therefore to~~ enquire whether you can take him and send some one else to the P.P., as his substitute.

I have etc

DRP

15/7 for Genl Secy

be desirable to transfer

and I am to enquire

List of enclosures.....

Copied by.....

Examined by.....

15/7

WD 0253—GPB—15,000—26-8-32

~~etc to the P.P. Shimoga for~~

~~information~~

(0

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P596 Law 8-33-4

Dated, Bangalore, 3rd August 1933

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Public Prosecutor,

Shimoga.

Sir,

With reference to your letter No.15 dated 6th July 1933 reporting about the conduct of your clerk, P.N.Basavaraj, I am directed to request that the explanation of the clerk promised to be sent in the last para of your letter under advertance may kindly be submitted for orders of Government together with your remarks thereon.

I have the honour to be,

Sir,

Your most obedient servant,

for General Secretary to Government.

Appendix F G—1]

SUBJECT.....

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Section Law

File No. 8-33

Serial No. 4

Diary No. of letter replied to.....

No. P-596

To The PR. Srinagar

Sir,

General and Revenue Secretariat

( )

the *193* .

Date of issue 4/8/33

Signed by

with reference to your letter no. 15 dated 6th July 1933 reporting about the Conduct of your clerk P. N. Banerji, I am directed to request that the explanation of the clerk promised to be sent in the last para of your letter under advertance may kindly be submitted for orders of Govt together with your remarks thereon.

List of enclosures.....

I have etc

1/8 for Secy

Copied by..... ISD 31/7

Examined by.....

WD 0253—GPB—15,000—26-8-32

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P. 50/11

Dated, Bangalore, 3rd August 1933.

ENDORSEMENT.

P.N.Basavaraj,
C/o B. Basavaraj,
District Survey Office,
Shimoga.

His petition dated 15th July 1933 is herewith returned since it is not sent through the Public Prosecutor, Shimoga, as required by petition rules.

By Order,

Jr. Secretary to Government,
Revenue Department.

RS

13

Appendix F G—1]

SUBJECT.....

.....

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Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193* .

Date of issue 4/8/33

Signed by Mr NRJ Rao

List of enclosures.....

Copied by.....

Examined by.....

Section Law

File No. 533

Serial No.

No. P. 577/ Endt

To

P. V. Basavaraj

c/o. B. Basavaraj

District Survey office

Shimoga.

~~In reference to~~ ~~his petition~~ ~~dated~~ ~~for~~ ~~his~~

His petition dated 15th July 1933

~~praying for Cancellation of the~~ ~~suspension period~~

~~P. V. Basavaraj~~

herewith returned ~~for transmission~~

~~hereby informed that he should~~

~~Through his Official Superior~~

~~submit his representation through~~

Since it is not sent through the

~~the DPr. Shimoga~~

DPr, Shimoga, as required by

petition rules

B.O.

for I/Gen. Sec.

LSD 31/7

14

807 d/37

P 1

Office of the Public Prosecutor,

Shimoga Division,

No. 49

5 enclosures

Dated Shimoga 13th August 1933.

From

The Public Prosecutor,
Shimoga Division,
Shimoga.

GENERAL SECRETARY 14 AUG. 1933 No. 130. To

Law 18-33-5.

The General Secretary
to the Government of Mysore,
Bangalore.

Sir,

Re: the explanation of the Clerk of this Office P.N. Basavaraj.

In continuation of my letter No. 15 dated 6-7-1933 and with reference to your letter No. P. 596/Law. 8-32-4 dated 4-8-1933, I have the honour to state that after he left this station without my previous permission he came back to Shimoga on 8th July 1933 and submitted a report herein enclosed. Since it contained false allegations about leave being granted to him and its expiry, I put him a few questions noted in the paper enclosed and asked his written answers to the questionaire. In reply thereto he furnished the answers on the enclosed paper.

Since the answers manifestly indicate the untruth of his asertions that he had applied for leave and that he had obtained my previous permission to leave the Head Quarters, I directed his suspension with effect from 8th June and obtained his acknowledgment (herewith sent) in token of the service of the above order.

Later on, when I was engaged at Chitaldroog in Sessions Works he approached me on 21st July and gave me the enclosed

petition

petition stating that he did not apply for leave in writing but made an oral request and that he left the Head Quarters on 8-6-1933 without my previous permission on medical advice and requesting me to take him on duty.

A perusal of the questionaire put to him, of his answers thereto, of his petition dated 21-7-33 and of letter received from Molkalumuru already sent with my letter No. 15 dated 6-7-33 amply bear out that he has not applied for leave, that he left the place without my previous permission, and that he deliberately gave a false explanation about his absence from the place.

Though he has shown a repentant attitude for the false attitude taken by him in the past, his conduct is not worthy of an official attached to a Government office of responsibility and it renders him unreliable. The previous warning of the Government conveyed to him in your letter No. P. 5922/Law. 106-32-6 dated 13th May 1933 on account of his failure to apply for extension of leave on a previous occasion has created no effect on him. The time which he has chosen for his escapade is a busy part of the year when quarterly returns of all the civil and criminal cases of this office had to be submitted to the Government and his absence has caused me considerable inconvenience. His conduct therefore deserves exemplary punishment and I leave it to the Government to deal with him as it thinks fit.

I am only anxious for suitable assistance in the conduct of my office work and would request the Government to provide me with an efficient clerk drawn from the Deputy Commissioner's Office or to sanction the personal choice of

a

16

a suitable undergraduate. . Since the quarterly returns ending with the 30th of June last due from this office have not been attended to by the clerk the total period of his absence may be treated as leave without allowance and suitable orders regarding the appointment of a substitute be issued early.

I have the honour to be,
Sir,
Your most obedient servant,

B. Krishna Rao

Public Prosecutor,
Shimoga Division, Shimoga.

To

Clerk Saturaray

You have said in your
Reply of today ~~objection~~ re
that you have joined duty after expiry
of leave you must submit
your written explanation on
the following point :—

1. When did you apply for
leave & who granted
you leave.

2. For how long was the
leave granted

3. From whose permission
you stayed away from
office for the time ?

4. Had you permission
from your official superior
to leave Headquarters

B. Krishna Rao
Public Prosecutor
8-7-1933

Submitted.

The explanation given by me in writing to the questions put by the officer.

1. I applied for leave on the 5th or the 6th of last month when your honour asked me to attend the court and when I was not in a condition to attend the court. I had already imbored your honour twice or thrice about my going on leave. you were pleased to ask me to produce the medical certificate which has already been sanctioned by the dist medical officer for one month.

2. The leave was granted by the Dist Medical officer.

3. with permission of ~~my~~ officer after applying for leave.

4. In anticipation of permission I left the Head-quarters.

P. N. Basavaraj
8/7/33.

Office of the Public Prosecutor
Shimoga Dt.

Clerk P. N. Basavaraj is hereby informed that he is kept under suspension from 8th June last and will remain so until further orders of the Government.

B. Krishna Rao
Public Prosecutor
8-7-1933

P. N. Basavaraj
8/7/33

To,

The Public prosecutor,
Shimoga Division,
(Camp) Chitaldroog

Respected Sir,

I, the clerk of your office, beg to submit this my application for your kind consideration and favourable recommendation to the Government for the cancellation of my suspension.

I was questioned as to when I applied for leave and who granted me the same. In answer to this I have stated in my explanation of 8-7-1933 that I applied for leave on the 5th or 6th June. What I ment was that I orally requested you to grant me leave I have not put in a written application for leave and I did not mean by my explanation that I had filed a written application. Further I beg to state that I have left the Head-quarters on medical advice, to my native place without your permission on 8-6-33 on account of my inability to attend the office. I request you to kindly excuse me this time and take me on duty recommending for my re-instatement treating the whole period as privilege leave, for which I am entitled to. I hope that my humble request will be complied with.

For which act of kindness and mercy I shall ever feel grateful to you Sir.

I beg to remain,
Respected Sir,
your most obedient Servant.
P. N. Basavaraj

Chitaldroog
D: 21/7/33

To P. 705

From

The

Secy to Govt xxxxxxxxxxxxxxxxx
General Department.

To

The Public Prosecutor,
Shimoga Division, Shimoga.

23rd August 1933. xxx

Sir,

With reference to the correspondence ending with your letter No.49 dated 13th August 1933, regarding the conduct of your clerk P.N. Basavaraj, I am directed to state that the Clerk's conduct in absenting himself without permission is inexcusable. Since it is however reported that he is showing a repentant attitude, I am to request that his suspension from 8th June up-to-date may be treated as sufficient punishment and he may be allowed to rejoin duty on condition that if he does not show improvement in his work, he would be removed from service.

I have the honour to be,
S i r,
Your most obedient servant,
Sd/- H.V. Ramaswami,
Secretary to Government,
General Department.

K.".R.3/23-8.

Memo No. 906. Dated, 23rd August 1933.

Copy of the above is forwarded, with compliments,

3

the Comptroller to Government, for information.

By Order,

For Secretary to Government,
General Department.

K.W.R.2/23-8.

Appendix F G—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to ....

General and Revenue Secretariat

( )

the *193* .

Date of issue 23/8/33

Signed by Sd/- N. A. Moos

That the clerk's conduct in absenting himself without permission is inexcusable. Since it is however reported that he is showing a repentant attitude, I am to request

List of enclosures.....

Copied by .....

Examined by.....

Section Law

File No. 8-33.

Serial No. 6

No. P. 905/—

To The Pfr. Shimoga.

Sir,

With reference to the Correspondence ending with your letter no. 49 dated 13.8.33 re: the Conduct of your clerk P. V. Basavaraj, I am directed to state that his suspension from 8th June up-to-date may be treated as sufficient punishment and that he may be allowed to rejoin duty on Condition that if he does not show improvement in his work, he will be removed from service.

~~I too~~ Your question of ~~as~~

I have

No. P. 906/- 18/8 for Genl Secy

18/8. Copy to the Controller

WD 0253—GPB—15,000—26-8-32

efficient substitute transferred from the D.C.'s office in under Consideration of Govt.

I have enc for Genl Secy

RD 18/5.

Copy to the Comptroller.